THE BOMBAY LAND TENURES ABOLITION (AMENDMENT) ACT, 1953.

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BOMBAY ACT No. XXXVIII OF 1953.[1]

[THE BOMBAY LAND TENURES ABOLITION (AMENDMENT) ACT, 1953.]

[*9th June 1953*]

An Act to amend certain Bombay Land Tenures Abolition Acts.

WHEREAS it is expedient to amend certain Acts providing for the abolition of land tenures in the State of Bombay for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title and extent.

1. (*1*) This Act may be called the Bombay Land Tenures Abolition (Amendment) Act, 1953.

(*2*) It extends to the whole of the State of Bombay excluding the merged territories.

Amount of compensation to be payable in transferable bonds.

2. (*1*) The amount of compensation payable under the provisions specified in column 2 of the First Schedule hereto annexed of the Acts specified in column 1 thereof, shall be payable in transferable bonds carrying interest at the rate of three per cent. per annum from the date of the issue of such bonds and shall be repayable during a period of twenty years from the date of the issue of such bonds by equated annual instalments of principal and interest. The bonds shall be of such denominations and shall be in such forms as may be prescribed.

(*2*) Where compensation has been paid in non-transferable bonds under the provisions of section 7 of the Bombay Paragana and Kulkarni Watans (Abolition) Act, 1950, at any time before the date of the coming into force of this Act, the holder thereof shall be entitled to have such bonds converted into transferable bonds repayable and carrying interest as provided in sub-section (*1*) within such period and in such manner as may be prescribed by rules made under this Act.

Bom. LX of 1950.

Amendments to Acts specified in Second Schedule.

3. The Acts specified in column 1 of the Second Schedule hereto annexed shall be amended in the manner and to the extent set forth in column 2 of that Schedule.

Rules.

4. The State Government may, by notification in the *Official Gazette*, make rules for the purpose of carrying out the provisions of this Act. Such rules shall be subject to the condition of previous publication.

FIRST SCHEDULE.

(*See.* section 2.)

Acts. 1	Provisions. 2
1. The Bombay Maleki Tenure Abolition Act, 1949 (Bom. LXI of 1949).	Section 5.
2. The Bombay Taluqdari Tenure Abolition Act, 1949 (Bom. LXII of 1949).	Sections 7 and 14.

[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1953, Part V, p. 284.

Acts.	Provisions.
1	2
3. The Bombay Khoti Abolition Act, 1949 (Bom. VI of 1950).	Section 12.
4. The Bombay Paragana and Kulkarni Watans (Abolition) Act, 1950 (Bom. LX of 1950).	Sections 6, 7 and 9 as amended by this Act.
5. The Bombay Watwa Vazifdari Rights Abolition Act, 1950 (Bom. LXII of 1950).	Section 4.
6. The Salsette Estates (Land Revenue Exemption Abolition) Act, 1951 (Bom. XLVII of 1951).	Section 7.

SECOND SCHEDULE.

(*See* section 3.)

Acts.	Amendments.
1	2
The Bombay Maleki Tenure Abolition Act, 1949 (Bom. LXI of 1949).	In sub-section (*1*) of section 2, after clause (*c*) the following clause shall be inserted, namely :— "(*d*) 'Collector' includes an officer appointed by the State Government to perform the functions and exercise the powers of the Collector under this Act."
The Bombay Taluqdari Tenure Abolition Act, 1949 (Bom. LXII of 1949).	In section 2, after clause (1) the following clause shall be inserted, namely :— "(1-A) 'Collector' includes an officer appointed by the State Government to perform the functions and exercise the powers of the Collector under this Act ;".
The Bombay Khoti Abolition Act, 1949 (Bom. VI of 1950).	In section 2, in sub-section (*1*),— (*a*) after clause (*i*) the following clause shall be inserted, namely :— "(*i-a*) 'Collector' includes an officer appointed by the State Government to perform the functions and exercise the powers of the Collector under this Act ;" (*b*) in clause (*vii*) (*b*) (*i*), the word "khasgi" shall be deleted.

Acts. 1	Amendments. 2
The Bombay Paragana and Kulkarni Watans (Abolition) Act, 1950 (Bom. LX of 1950).	(1) In sub-section (*1*) of section 2, after clause (*b*), the following clause shall be inserted, namely :—
	"(*bb*) 'Collector' includes an officer appointed by the State Government to perform the functions and exercise the powers of the Collector under this Act ;" ;
	(2) in section 4,—
	(i) in sub-section (*1*), for the words "two years", at both the places where they occur, the words "three years" shall be substituted ;
	(ii) in sub-section (*3*), for the word, brackets and figure "sub-section (*2*)" the words, figures and brackets "sub-sections (*1*) and (*2*)" shall be substituted ;
	(3) in section 6,—
	(i) in clause (2), for the portion beginning with the words "a sum equal to the amount of such land revenue" and ending with the words "until the expiry of the said period of ten years", the following shall be substituted, namely :—
	"a sum equal to ten times the amount of such land revenue shall be paid to the holder and if the holder dies before the payment of such sum, to his heir or heirs, after deducting therefrom the amount of cash allowance, if any, paid to such holder or heir or heirs, as the case may be, during the period between the appointed day and the date on which the Bombay Land Tenures Abolition (Amendment) Act, 1953, came into force" ;
	Bom. XXXVIII of 1953.
	(ii) in the marginal note, for the words "continuation of cash allowance" the words "compensation in lieu of cash allowance or land revenue" shall be substituted.
	(4) for section 7 the following shall be substituted, namely :—
	"Compensation to the representative watandar. 7. In the case of a person who has been registered as a representative watandar immediately before the appointed day

Acts.	Amendments.
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	and who in consequence of the coming into force of this Act ceases to be entitled to the right to perform the duties of the office of a hereditary village accountant, a sum equal to seven times the total amount of the emoluments payable annually in cash to the representative watandar performing such service in the year immediately preceding the year in which this Act comes into force shall be paid to such representative watandar as compensation and if such watandar dies before the payment of the sum to him, his heir or heirs shall be paid such sum, after deducting therefrom the amount of compensation, if any, received by the representative watandar or his heir or heirs, as the case may be, during the period between the appointed day and the date on which the Bombay Land Tenures Abolition (Amendment) Act, 1953, came into force. Bom. XXXVIII of 1953.
	Explanation.—For the purposes of this section, a deputy or substitute officiating for the representative watandar shall not be entitled to receive such sum.'';

Acts.	Amendments.
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	(5) In sub-section (2) of section 9, for the words, letters and figures " on or before the 31st day of March 1952 " the following shall be substituted and be deemed always to have been substituted, namely :—
	" on or before the 30th day of April 1954. "
The Bombay Watwa Vazifdari Rights Abolition Act, 1950 (Bom. LXII of 1950).	In section 2, after clause (*b*) the following clause shall be inserted, namely :—
	" (*c*) " Collector " includes an officer appointed by the State Government to perform the functions and exercise the powers of the Collector under this Act."
The Salsette Estates (Land Revenue Exemption Abolition) Act, 1951 (Bom. XLVII of 1951).	In sub-section (*1*) of section 2, after clause (*a*) the following clause shall be inserted, namely :—
	" (*aa*) ' Collector ' includes an officer appointed by the State Government to perform the functions and exercise the powers of the Collector under this Act ; "